

QUID NOVI

Journal des étudiant-e-s
en droit de l'université McGill

McGill Law's
Weekly Student Newspaper

Volume 35, n° 11
21 janvier 2014 | January 21st 2014

QUID NOVI

QUID NOVI

3661 Peel Street
Montréal, Québec H2A 1X1

quid.law@mcgill.ca
<http://quid.mcgill.ca/>
<http://www.quidnovi.ca>

EDITORS IN CHIEF

Jérémy Boulanger-Bonnely
Pietro Mastromatteo
Fortunat Nadima

LAYOUT EDITORS

David McLeod
Kirsten Morry
Nadir Pracha
Thomas McMullan

ASSOCIATE REVIEWERS

Pouney Davar-Ardakani
Peter Grbac
Kai Shan He
Claire Kane Boychuk
David McLeod
Elspeth McMurray
Kirsten Morry
Andrew Stuart
Anne-Sophie Villeneuve
Ben Wood

STAFF WRITERS

Elliot Aglioni
Ying Cheng
Peter Grbac
Stéphanie Déborah Jules
Aaron Fergie
Emma Loignon-Giroux
Andrew Stuart
Derek Zeisman

*Journal des étudiant-e-s
en droit de l'université McGill*

McGill Law's Weekly Student Newspaper

Volume 35, n°11

21 janvier 2014 | January 21st 2014

WHAT'S INSIDE? QUEL EST LE CONTENU?

ÉDITO	3
FACULTY COUNCIL REPORT	4
ADVICE ON THE QUEBEC BAR	5
UPDATE: COMITÉ DE CYCLISME	14
UPDATE: FEMINIST COLLECTIVE ACTIVITIES	15

WANT TO TALK? TU VEUX T'EXPRIMER?

Envoyez vos commentaires ou articles avant
jeudi 17h à l'adresse : quid.law@mcgill.ca

Toute contribution doit indiquer le nom de
l'auteur, son année d'étude ainsi qu'un titre
pour l'article. L'article ne sera publié qu'à la
discrétion du comité de rédaction, qui

basera sa décision sur la politique de
rédaction.

Contributions should preferably be submitted as
a .doc attachment (and not, for instance, a
".docx").

Co-Editor in Chief

FORTUNAT
NADIMA

LONG WALK TO COOLNESS

*Derrière les ennuis et les vastes chagrins
Qui chargent de leur poids l'existence brumeuse,
Heureux celui qui peut d'une aile vigoureuse
S'élancer vers les champs lumineux et sereins ;
- Beaudelaire (Élévation)*

"In 2014 it's showtime." Thus began Daniel Franklin's editorial for the *Economist's* "The World in 2014" issue. On that point, he couldn't be more right: François Hollande's press conference (sadly without his motorcycle helmet), charter hearings at Quebec city, the Charbonneau commission, among others, have kept us entertained in the last few weeks, before we get bombarded with information about upcoming elections and international sporting events.

The special issue included the usual mix of fact-based forecasting (e.g. "National polls will be held in countries with about 40% of the world's population") and random wishful predictions (My favorite : "in 2014 you will want to cook a carrot"). The crystal ball's prediction for Canada was harsh and simple: If "uncool Canada" is exciting at all in 2014 it will be for the wrong reasons.

Preuves à l'appui selon le magazine : En 2013, l'endettement des ménages et les prix des maisons n'ont pas cessé d'augmenter ; le gouvernement Harper ne semblait pas ouvert à une décriminalisation du cannabis ; ses relations avec les autochtones ont pris un coup de froid ; le Parti Québécois est revenu au pouvoir et a présenté son projet de charte des valeurs ; et finalement, comme si ce n'était pas assez, Mark Carney est parti en Angleterre, emmenant avec lui une portion de ce qu'il restait de cool à notre pays : sa solide économie.

En réponse à ce « jugement déclaratoire », le ministre Jean-François Lisée avait d'ailleurs concocté une courte lettre opportuniste aux éditeurs, intitulée « Gens du pays, c'est votre tour », qui commençait par la question : « If the *Economist* finds that Canada has become uncool, should it not find Quebec to be cool? » Facile d'imaginer la suite...

From the perspective of a news editor, most countries, institutions and public figures tend to be exciting for the wrong reasons anyway. Think of Rob Ford, the NSA, or the Middle East. Journalism, in practice, is more about spreading the (often bad) news in a good way rather than about simply spreading good news.

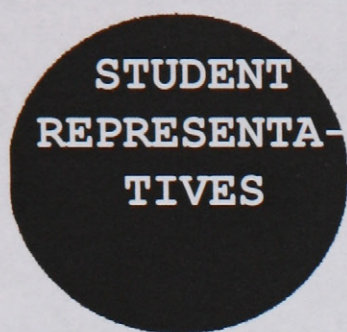
What should really concern us about our present situation, something the magazine's analysis failed to discuss, is the opportunity for change that arises out of current difficulties and conflicts. Temporary damages to Canada's or Quebec's reputation, whether due to perceptions of corruption, xenophobia, religious intolerance or to some other reasons, are of secondary importance if the "right" solutions are brought forward.

Cette année divers acteurs de la société canadienne seront appelés à prendre des décisions de grande importance. Les exemples ne manquent pas : le gouvernement fédéral sur ses lois sur la prostitution, la société québécoise (à travers ses élus) sur le projet de loi 60 sur la laïcité, la Cour suprême du Canada sur le Sénat et sur le processus de nomination des juges, etc. Et ce, sans oublier les élections provinciales et fédérales qui se préparent tranquillement et donneront à la population l'opportunité de se choisir des dirigeants pendant les deux prochaines années.

Permettez-moi une légère digression. Difficile de passer sous silence la récente remise des notes, une première à la Faculté de droit pour certains d'entre nous. On ne peut qu'espérer qu'après avoir digéré l'impact émotionnel (positif ou négatif) de ces résultats scolaires à l'aide de petits plaisirs de la vie, il en reste un peu pour nous motiver à continuer d'aller de l'avant et de toujours aspirer à mieux.

Optimists see opportunity in every difficulty, as Churchill would have said, but also in every other types of situations. It's an opportunity to reflect on ourselves and to redefine or reaffirm who we are and what we stand for, and to make choices accordingly. It's a chance to truly be what we want to be, and be cool with it.

ERRATUM: Professor Robert Leckey's submission, published in last week's issue (pp. 4-5), was unfortunately reproduced twice. Nos plus sincères excuses !



FACULTY COUNCIL REPORT

The last Faculty Council meeting of the Fall term was held on November 27th (yes, it dates, but it remains relevant!).

McGill University's Report on Research Funding and Innovation was submitted to the Council by Dr. Rose Goldstein, Vice-Principal (Research and International Relations). The main highlights of the document are that McGill's competitiveness for government funding (provincial and federal) has increased in the past year, and McGill now holds second place in Canada for research intensity. It was suggested that McGill should invest stronger efforts in diversifying its revenue sources, in particular by lowering its reliance on government funding and increasing its international funding.

In addition, the Vice-Principal submitted the International Strategy and Framework to the Council. The document outlines three main pillars on which the framework is based: research partnerships, student opportunities and global outreach. Overall, McGill wishes to renew its interest in international relations by encouraging deeper global collaboration.

La politique linguistique n'est pas encore prête; elle sera présentée au premier conseil de Faculté de la session d'hiver.

Les comités de réforme du programme BCL/LLB poursuivent leurs travaux. Les discussions sont encore au stade préliminaire, mais plusieurs sujets font surface tel que le changement de paradigme de la profession légale dans son ensemble. Tous les comités de réforme du programme veulent entendre les voix et les points de vue étudiants. Si vous avez des suggestions ou que vous souhaitez discuter de certains enjeux, n'hésitez pas à vous impliquer (informations plus loin). Dès l'année 2016/2017, la refonte du programme devrait être effective.

Sur une autre note, 4 motions ont été adoptées lors de ce conseil et sont susceptibles de vous affecter (n.b. les libellés suivants ne sont pas les libellés officiels).

Motion 1: The Associate-Dean Academic shall, at the beginning of every term, determine which courses fulfill the requirement of certain complementary course baskets.

This will allow courses that fall under, for example, the Special Topics category, to count towards the fulfilment of a specific complementary course basket provided their content is deemed fit at the discretion of the Associate Dean Academic.

Motion 2 : Le cours Theoretical Approaches to Law sera dorénavant obligatoire pour tous les étudiants au Doctorat à l'Institute of Air and Space Law.

Motion 3: As of the academic year 2014-2015, all doctoral students will have to follow a non-credit course requiring them to do an oral presentation in front of their thesis director.

This will allow students to discuss issues they encounter in their thesis and obtain support from their director.

Motion 4: Le cours Bankruptcy and Insolvency sera dorénavant un cours de niveau 500.

Ceci le rendra accessible aux étudiants des cycles supérieurs.

If you have any input, commentaries, suggestions or ideas you would like to submit regarding the curricular reform, please do so. Students' opinion is helpful and necessary to the process! Do not hesitate to speak to one of the Faculty Council members (Philippe Bernier Cormier 2L, Julia Blais-Quintal 2L, Vincent-Pierre Fullerton 1L, Éloïse Gagné 4L, Graham MacVannel 2L, Marc Daniel Roy 3L, Anne-Sophie Villeneuve 2L, Rachel Zuroff 3L) or send an email to vp-academic.lsa@mail.mcgill.ca.

Bonne rentrée!!

**MICHAEL
SHORTT**

McGill Law Alumnus

ADVICE ON THE QUEBEC BAR

PART I: OVERVIEW

Way back in 2010, a generous McGill law grad, Narimane Nabahi, wrote an excellent series of Quid articles on passing the Quebec Bar. These articles appeared between February 16th and April 13th. They remain relevant and are definitely worth a look, particularly if you prefer to read in French. The following article is an English-language update to Narimane's work.

Full disclosure: I am still waiting for my Bar results, and I honestly have no idea whether I passed. So take all of this advice with that in mind.

(1) Fear and Ignorance, Ignorance and Fear

Smart people fail the Quebec Bar all the time. While the overall pass rate is 75%, this reflects the results of two exams (since those who fail the first time are allowed a retake two weeks later). Only half of all test-takers pass on the first exam, while half of those who fail pass on the retake, leading to the overall 75% pass rate. Failing the first exam has serious consequences, even if you pass on the second exam, since it means delaying your articles by anywhere from a few months (if your firm will let you start as soon as the results are in) to half a year (if, like many firms, they will require you to wait until the next articling cohort).

Why am I starting with this disheartening information? Because the Quebec Bar is difficult and the consequences of failure are very real. No one should sugar-coat that for you. If you fail the retake, then instead of just delayed articling, you have to wait until next September, then complete the eight-month Bar course before you can take the exams again. So failing the retake will delay your articling by a year or more. On top of that, the Bar costs nearly four thousand dollars, and that's just for the four-month course. Hence the importance of doing it right, doing it once, and never doing it again.

On the positive side, McGill's pass rate is not as low as rumours might suggest: the last statistics released by the Bar show our pass rate is 80%, which is slightly above the provincial average.

(2) Course Choice and the Quebec Bar

Before starting on the specifics of the Quebec Bar, I'd like to talk about course choice. The three most helpful electives for the purposes of the Quebec Bar are probably Secured Transactions,

Civil Evidence, and Criminal Procedure. I say this because these are all highly technical subjects (at least, when taught by the Bar!), so it helps to have a grounding in the subject-matter going in. In addition, Family Law, Judicial Review, and Labour/Employment law are all helpful, but not to the same degree.

Even more important than which courses you take at McGill is the language you take them in. The Quebec Bar is taught entirely in French, and all of the teaching materials you receive are likewise in French. You can take the exams in English, and the English translations of the exam questions are quite good, but French is essential to learning the material well in Bar school. You don't want to go in thinking that Bar school is where you'll perfect your French.

(3) Signing Up for the Quebec Bar

The Bar school website is awful. Information is difficult to find, confusingly presented, and in a few cases outright contradictory. For example, after exhausting every link on the webpage, I eventually discovered that there were two separate lists of required documents to include in your application – and each of them was different. Maybe they will have fixed this by the time you need to apply, maybe not. If not, don't hesitate to call the Bar if you have questions or are confused. The secretaries who answer the phone are all really friendly and helpful.

One of the documents that you need to submit is the "certificat de bonne conduite." As far as I know, the cheapest and fastest way to obtain this certificate is through an organization known as "Les Commissionnaires." They prefer that you reserve a date ahead of time, but they will also accept walk-in customers, although sometime that requires you to wait for an available agent. The cost was around \$55, and it took two days.

As part of your application or shortly after being accepted, you will need to make some choices about the type of Bar school experience you want. The most important is whether you will do the four-month course (officially called "la formation professionnelle") or the eight-month course (officially called "les cours préparatoires"). The cours préparatoire basically add a four-month refresher course in front of the four-month program, and once you've finished the refresher course you rejoin the four-month program and take courses alongside other Bar school students.

Note that the eight-month course can only be taken with a September start date. So if you graduate from McGill in December, you'll have to wait until next September if you want to take the eight-month course.

There's no right answer as to whether you should take four or eight months. The Bar will give you a diagnostic exam (see below), but few people pay attention to it. Factors to consider in making a choice: (1) does your law firm pay a stipend during Bar school, and will they pay it for more than four months? (2) how good is your French? (if it needs work, the eight month course allows you to practice in a low-risk environment for four months) (3) how confident are you in your law skills? (although according Bar's own statistics, the success rate of students taking the eight-month course is only slightly higher)

You will also need to choose either morning or afternoon courses. Demand for morning courses is high, the Bar allocates them according to a lottery system. The advantages of morning classes are that they force you to get an early start on the day, and in the case of the ethics midterm, give you slightly more time between the end of your final class and the midterm itself. Finally, you will need to decide whether you want to do a workplace accident file or a commercial arbitration file for the end-of-semester litigation module. I recommend the arbitration module. It's the only part of Bar school that it's in English, and it's taught by two very experienced arbitrators, so you'll learn a lot about commercial arbitration practice in Quebec. Neither subject is on the final exam and both require the same amount of work, so there's no academic incentive to choose one over the other.

The Bar's diagnostic test is a little silly. It's a series of multiple choice questions designed to test your knowledge of various fields of law. It bears some resemblance to the kinds of questions that are asked on the final exam. The Bar takes it very seriously and will require an explanation if you request to take it on the alternate date. And don't even think of skipping it. Yet the results of the test are a non-binding suggestion... mandatory attendance to receive optional advice is typical of the kind of administrative logic that you'll encounter at Bar school. They also have a "student entrance" to the building (heaven help you if you go in the "grown up entrance"), and students have been reprimanded for daring to use the elevator, since apparently it is reserved for teachers and staff!

(4) Which Books to Buy

You will need to purchase several laws and codes for Bar school: CCQ, CCP, "business laws" collection, "labour laws" collection, and a criminal code. The Bar will also provide you with a spiral-bound booklet containing the laws required for the ethics midterm.

I recommend the Wilson & Lafleur editions of the civil codes and the labour/business laws. These editions seem to contain all

the laws, regulations, and rules of court that you can be tested on for the exam, and a friend who bought a Yvon Blais edition of the CCP found out that one of the required texts was not included in it. The Bar will provide extra CCQs and CCPs at the exam, but you're only allowed to bring one copy of each code with you, so it's best to purchase a code that includes all the relevant laws. These books can be purchased at the Wilson & Lafleur bookshop that's just up the street from Bar school. For the Criminal Code, you should purchase an annotated edition. The Bar allows you to have an annotated Criminal Code, and the extra cost is well worth it. Criminal law is one of the hardest subjects on the final exam, and it is always on the exam. An annotated Criminal Code will help offset some of the difficulty. In terms of which edition to purchase:

- Almost all of the French-speaking students used the Cornoyer-Ouimet edition. I can't speak to its quality personally, but friends who used it seemed satisfied. It also has the advantage of having the Identification of Criminals Act, which is one of the laws covered in Bar school, but which other codes don't seem to include.

- I purchased Tremear's Criminal Code, but was disappointed by the quality of the explanations (which just repeated the text of each section) and the annotations (which were not relevant to topics Bar school tests you on). I flipped through a friend's edition of Martin's Criminal Code and noticed that the annotations were much better. So I would recommend Martin's over Tremear's.

Finally, you will be working a lot with your laws, so don't hesitate to customize them. The first thing I did with all of my laws was rip out every page that preceded the table of contents. This way, as soon as I opened the book, I had the table of contents in front of me.

Although the Bar forbids "annotating" your laws, this still leaves a lot of room for marking up your laws and filling them with useful information. First, you can create cross-references by writing section numbers (and law names next to them were needed). Second, underlining, circling, and highlighting are all allowed. Highlighting is particularly useful in order to indicate the different books of the CCQ or different laws with the business/labour law collections. Below is a picture of my CCQ, which follows what I think is a helpful system. Each book gets its own colour, and for Book 5 (Obligations), the general part is distinguished from nominate contracts by using two adjacent squares of the same colour but different heights. The Divorce Act is separated from its regulations using the same technique. I also used horizontal lines to indicate links between the CCQ and the laws contained in the rest of the book. So the first horizontal line connects the Book on Persons with the Quebec Charter of Rights and Freedoms, the second horizontal line connects the Book on Family with the Federal Divorce Act plus its regulations, and the final horizontal line connects the Book on Evidence with the Law Establishing a Legal Framework for Information Technology.

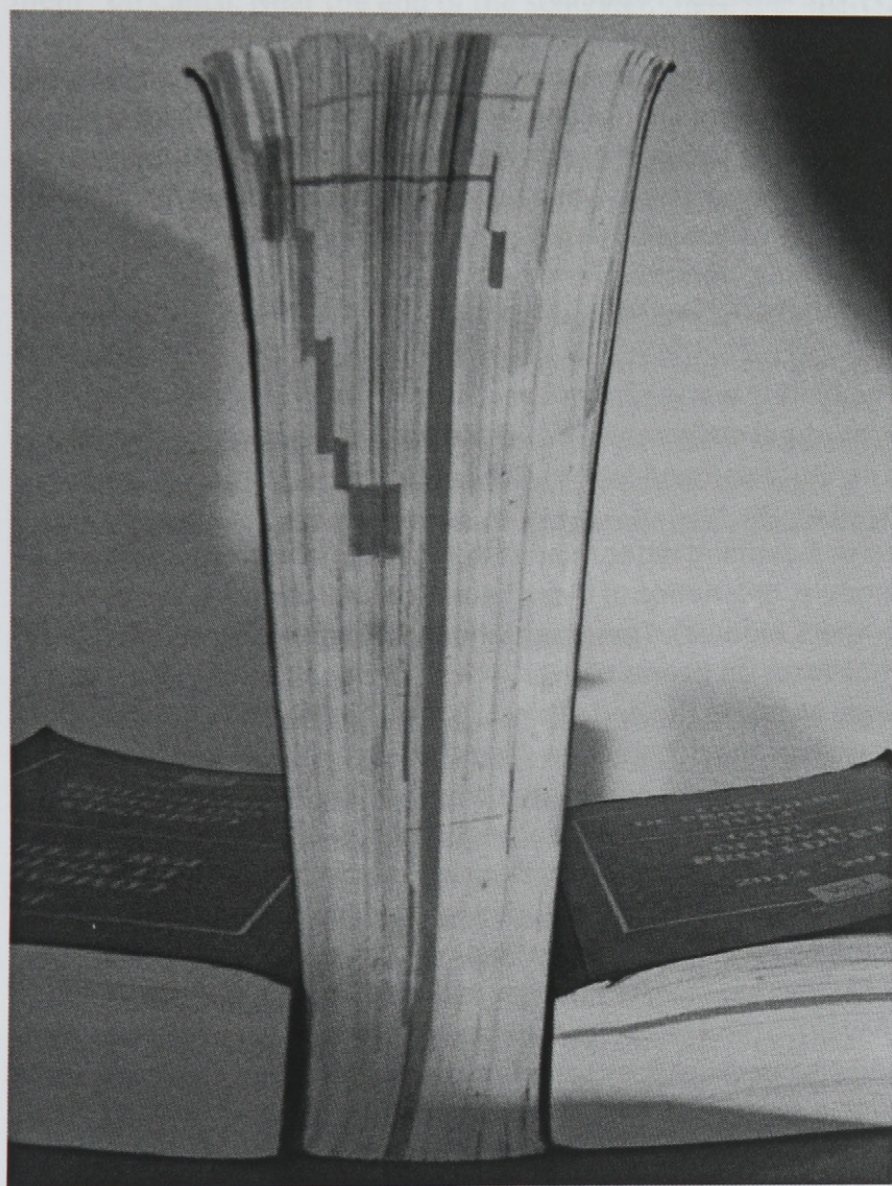
The approach I used, which did not lead to any trouble at exam

Continued...

time (if you are found to be using forbidden annotations, your laws are confiscated and replaced with clean ones) included:

- Drawing arrows between one article and another.
- Drawing arrows between French and English versions of an article where there are linguistic differences.
- Writing "A," "B," and "C" in the margins of articles to indicate different sections/concepts/rules.
- Writing "1," "2," etc, inside an article's text to mark off different concepts, or steps to a test.

When deciding which annotations to include in your laws, the general rule is the more the better. Wilson & Lafleur books have



large margins, allowing you to add as many cross-references as you can think of. I sometimes made lists of important articles and put them next to section- or chapter-headings to make sure that I didn't forget anything.

Finally, some specific annotation advice for the Criminal Code. Don't just rely on the included annotations – make to add as many as you or your crim teacher can think of. The Criminal Code provisions are a maze of procedural technicalities and you're expected to master them in only seven days, which is difficult to do without a lot of annotations! Also, don't forget to an-

notate the Canada Evidence Act and the Controlled Drugs and Substances Act – they can be on the final just as easily as the Criminal Code itself. In particular, go through the schedules of the CDSA and highlight all the common drug names so that if you ever need to quickly determine whether methamphetamines are a Schedule I or Schedule II drug, you aren't hunting through dozens of unfamiliar chemical names for the one you need. In particular, you should highlight: marijuana, methamphetamines, cocaine, heroin, and crack. All of those drugs came up either in the annexes or on the final.

(5) Overview of the Four-month Bar School Program

If you take the 4-month program, your day-to-day routine will involve attending Bar school for four hours a day, where you will work on your "annexes", which are basically big lists of homework problems. Your time will be divided between correcting yesterday's homework annexes and doing new annexes in class. There will be very little time devoted to lecturing. The amount of time spent answering students' questions depends heavily on the teacher (see below). After class, you will have 2-4 hours of annex questions to do at home for the next day.

The annex questions don't leave much room for writing an answer on the question sheets themselves, and if you get the question wrong, there will be no space for the correct answer. This is especially true in family law, where you will be doing many calculations. I would recommend writing all your answers on separate sheets of paper, so that your answers are clear and easy to review.

Word files with the correct answers to the annex questions are floating around the internet. I would try to get your hands on one of them. If, after ten minutes of honest effort, you can't find the answer to a homework problem, it's better to look the answer up and see if you can understand why it's the right answer. Otherwise you'll be forced to leave the question blank and hope that the professor will take the time to explain the answer in class, which isn't always the case.

For the most part, you'll spend only a few days at a time on each subject, and larger subjects are broken up into multiple short sessions. My year started with four days of civil evidence, followed by two days of procedure (with more procedure later). I think the longest single subject was seven straight days of criminal law. Every change of subject brings with it a change of teacher, although sometimes you'll have a teacher who takes on multiple subjects (if you get Me Doyon, you're very lucky, since he teaches three subjects and is very good at what he does).

The workload is fairly consistent throughout the semester, although the second group of business law classes have far more questions (sometimes 40 or 50) than other days. These classes deal with the infamous "Amenabec" file, which at time involves hard-core corporate tax law that you are expected to learn, but

which will never be on the exam.

Several kinds of special activities break up the Bar school routine. The first are ateliers thématiques, which are seminars on topics like “Ethics and Criminal Law” or “Plain Language Communication with Clients.” More on these in the next section. There are also several writing workshops, in which you’ll spend the entire class drafting a memo, demand letter, or litigation document. Finally, there are some negotiation and client counselling workshops that are clustered in Family Law and Labour law. The semester ends with a litigation workshop dealing with either workplace accidents or commercial arbitration, depending on which of the two you chose during registration.

You’ll take two exams: an ethics exam worth 20% of the final mark and an 80% final. The ethics exam occurs relatively soon in the semester. The final exam is spread over two days, with each day worth 40%. The final exam will have six subjects. Two subjects will be on the “long answer” day, which involves short written answers and sometimes calculations. Four subjects will be on the “short answer” day, which involves multiple choice questions and “true/false-justify” questions.

(6) The Ateliers Thématiques

The ateliers thématiques are three- to four-hour workshops that cover various law-related topics. These can range from how to use JuriBistro (a made-in-Quebec CanLII alternative) to “Law and the Media” to “Ethics and Criminal Law.” You are required to take a number of these ateliers, including at least one with an ethics component.

The ateliers thématiques are awful. Most of the live ateliers don’t deliver useful content, and the interactive video ones (which you have to go to Bar school to watch!!) are borderline insulting to their audience. Consider the following example, drawn from the “Langage claire” interactive video atelier:

Laquelle des méthodes suivantes est une bonne façon de communiquer efficacement avec les profanes en droit?

(a) Éviter le jargon technique de la profession.

(b) N'utiliser que les verbes à l'indicatif.

Why ask us such asinine questions if even the question-writer can’t be bothered to come up with a halfway-plausible answer for (b)? The entire room burst out laughing when this came up on the screen. And the rest of the presentation wasn’t much better.

My advice on the ateliers thématiques is the following: abandon all hope of learning something useful, and don’t make my mistake of choosing them based on your interests. They’re all boring and will teach you nothing. Instead, choose as many ateliers as possible that fall before the day on which you’ll learn about the exam topics. Because the days devoted to the ateliers are no-class days, this strategy will guarantee you as many study days as

possible during the period in which you know the exam topics.

When attending ateliers, be aware that monitors are stationed in the back of the room to verify whether you are paying attention. So if you bring a laptop, they will ask you to close it if they see you’re not taking notes on the presentation. These monitors will also wake you up if you appear to be asleep. However, they won’t get you in trouble for reading through your CCQ or CCP, so most students use the ateliers as a chance to do some annotating. I recommend doing that too. It doesn’t make the time pass any more quickly, but at least you will get something useful out of it.

(7) The Ateliers Pratiques

The ateliers pratiques are divided into writing workshops and negotiation/client counselling workshops. The content and the value of the two is very different. You will need to attend a certain number of these workshops, although you have flexibility in choosing which ones (I think it’s something like six of eight for the writing workshops and two of three for the negotiation/client counselling).

The writing workshops are very useful. They involve drafting a procedural document (like a statement of claim or a defense) or a series of demand letters. The exact type of document will depend on the type of law you’re learning at the time (so you’ll write a demand letter related to a lease during the contracts module, or a notice of hypothecary remedies during the hypothecs module). These workshops are particularly helpful since they focus on genres of legal writing we don’t really cover in Legal Meth. At the end of class, you will be given the Bar’s model version of the document, which allows you to get a sense of how these types of document are drafted by more experienced lawyers. If French is your second language, this is a great time to practice drafting in French. Because the workshops are pass-fail, as long as you do the work, you will receive a passing grade. You should seriously consider attending all of these workshops, even the ones that you are not required to attend. I say this because they are useful exercises for learning practical aspects of the law, and also because they sometimes provide additional insight into course content. During the family law writing workshop, for example, we were given additional information about how to fill out a demand for spousal support that would prove useful on the final.

The other kinds of ateliers pratiques, which focus on negotiation and client counselling, are a huge waste of time. They vacillate between trying to teach the unteachable and spoon-feeding students incredibly obvious insights like “never reveal your lowest acceptable offer to the opposing party.” Unfortunately, they’re largely mandatory, so you have no choice but to attend. But on the plus side, they are also pass-fail, so merely showing up is enough to pass.

Continued...

You will be asked to choose which ateliers pratiques you wish to attend, which largely boils down to how early in the semester you want to do them. I would recommend choosing as many early ateliers as possible, since it maximizes your study days after you know the exam subjects.

(8) The Litigation Module: Commercial Arbitration or Workplace Accidents

Scattered throughout the semester are a total of about six days of litigation work. The first few days are one-off sessions that involve a fair amount of lecturing on the part of the professor. In the middle of the semester you will complete a "research assignment" on CanLII. Near the end of the semester, there is a "factum and pleading exercise." Both the research assignment and the pleading exercise are pass-fail, and many people invest almost no effort in them. This is particularly understandable for the factum/pleading assignment, since it's scheduled on the last two days of class, it's pass-fail, and deals with topics that aren't on the final.

Even if the litigation activities can be a distraction from studying for the final, they were always interesting and I felt that I learned something from them. But don't hesitate to modulate your time investment accordingly. I know a number of people who spent days on the CanLII research assignment, which was probably a waste, since it was pass-fail and the teacher admitted there was no right answer.

(9) Teaching Quality and What to do About It

During your Bar school career, you will have about a dozen different teachers, normally one per subject. Inevitably, some will be good, some will be bad. I was fairly lucky: I had a practitioner named Me Doyon who taught four subjects and taught them well, plus my Administrative Law and Criminal Law teachers were both top-notch. But I also had some terrible teachers. Our Civil Procedure professor refused to answer questions, claiming that "L'approche du Barreau, c'est que vous connaissez tous déjà la matière, et la formation professionnelle n'est qu'une rappelle." Sure, that's the official party line, but we all know it's a legal fiction buddy.

If you have a bad teacher go to another classroom. Attendance is not mandatory except for certain workshops, so there is no penalty for looking for a better teacher. My girlfriend had very bad teachers for Criminal and Administrative law, and she spent most of those modules in my class instead. Our criminal prof was so popular that we eventually accumulated four students from different classrooms.

I really can't emphasize this enough, since teaching skill is paramount when you only have a week or so to learn very difficult material. If you don't like your teacher's style, don't hesitate to go to another classroom. Ask your friends about their profs, and

you can even attend class in the afternoon or the morning if that's what it takes to find a good teacher.

(10) The Collection du Droit

As part of your Bar school package, you will be sent over a dozen weighty tomes, collectively known as the Collection du droit (CDD). The CDD costs about a thousand dollars, and if you fail the Bar, you will be required to purchase it again, notwithstanding the fact that you already have a complete set. Don't ask why; it makes about as much sense as banning students from using the elevators.

Should you read the CDD? That's a tough question and it depends on your study strategy. Most people do not read the CDD, since (with a few exceptions) it doesn't help you prepare for the final. The information it contains is too detailed for a closed-book exam, which means that reading the CDD cover-to-cover is a low-yield investment of your time and energy. The CDD is a decent resource if you find a particular area of law confusing, so don't hesitate to read the part on hypothecs if you never took Secured Transactions at McGill.

There are a few areas where reading the CDD can be very helpful:

- Family Law: the CDD has a very useful discussion of what types of assets qualify as family residences (e.g. can a house-boat or a motor home qualify?) or a family car (e.g. if a car is owned by one spouse's business, but used for family activities, does that count?), and also how to deal with the intricacies of calculating spousal/child support. The discussion of civil procedure for family law cases was also helpful.
- Criminal Law: You will be expected to know and apply the hearsay rule on the final exam. This rule and its exceptions are not taught at all in class. I highly recommend reading the section of the CDD on criminal evidence rules for this reason.
- Ethics: I found the CDD's explanation of Quebec's legal aid regime very helpful.

(11) The Ethics Midterm

The ethics exam occurs roughly five or six weeks into the semester. It's definitely difficult, and you can never retake it. If your marks in the ethics exam plus the first final exam don't add up to 60%, you can retake the final exam, but you're stuck with your marks on the ethics exam. This means that if you get 6/20, you're at a huge disadvantage compared to a student who gets 14/20. So study very hard for this exam.

The materials required for the exam are all contained in a spiral bound collection of laws that's provided to you early in your bar school career. Start reading those laws as soon as you get them. They're very dense and boring, but there's a lot of them and you need to start as soon as possible in order to finish the volume as a whole and have time to re-read the important parts. In pass-

ing, the volume has a surprisingly good index, which you should take advantage of during the exam.

What laws are particularly important? The Code des professions and the Loi sur le Barreau have a few important articles each, so they are worth reading once in their entirety, with a brief review of those important articles. The main laws you will be working with are the Code de déontologie and the regulation on Comptabilité et normes d'exercice de la profession des avocats. Read both of these laws multiple times and get a good understanding of their contents. The regulation on Comptabilité et... is particularly important, since it represents "easy points" – it's technical but the kinds of questions you'll be asked about it have right answers. The Bar's perspective on the Code de déontologie makes it a lot more difficult to score points, even if you know that law well (see below).

The laws provided by the bar are only in French. You can print out English versions and bring them to the exam instead. If you do so, note that there is no English version of the regulation on Comptabilité et..., so you won't find it on CanLII. The Bar has prepared an unofficial translation available on its website. However, there are also other laws that do not have an official or unofficial translation so you'll have to use them in French regardless. Also, if you do prepare English versions of the laws, it is worthwhile to rip out the index from the French volume and add it to your English laws, since the cross-references are by law and section, not pages. If you do decide to use English versions of the laws, be aware of two things: first, even the official translations are often quite bad, and second, you will need to get your translated laws approved by the Bar, so bring them in early to verify that they meet all of the Bar's requirements.

Beyond reading and rereading the laws, you will also be assigned several Supreme Court cases on ethics and solicitor-client privilege. This is where McGill students have a big advantage, because we have already read almost all of these cases in Legal Meth 2. Re-read them, but don't stress too much about the intricacies of each case, since the Bar will ask only questions that involve obvious applications of the cases. They stay away from tricky issues of interpreting cases because they want their question to have a demonstrable "right" answer.

There's also an entire volume of the CDD devoted to ethics and professional responsibility. As I said above, the only part that I found really helpful was the section on legal aid.

The format of the exam is the following: about half the points will come from a very long fact pattern of a lawyer behaving badly. The other half will be divided between a series of short-answer questions that cover solicitor-client privilege, conflict of interest and legal aid (generally one question each), plus a few questions about trust fund accounting and office management.

In the fact pattern, you will be asked to find nine (or ten or what-

ever) ethical faults and provide the associated articles of the Code de déontologie. Usually it's very obvious what a lawyer has done wrong (e.g. lawyer with no criminal experience accepts a criminal law mandate at \$750/hour, then subcontracts the work to another lawyer at \$300/hour). The problem is figuring out which article applies. In the Bar's opinion, there is usually only one applicable article, even though most ethical faults could plausibly violate several articles. In the criminal law sub-contracting example above, you could make equally strong arguments for 3.08.03 ("L'avocat doit éviter toutes les méthodes et attitudes susceptibles de donner à sa profession un caractère de lucre et de commercialité") and for 3.08.01 ("L'avocat doit demander et accepter des honoraires justes et raisonnables."), not to mention several other provisions dealing with fees and billing and accepting mandates only within your area of expertise. If I recall correctly, the Bar's position was that only 3.08.03 applied. As you can see, the challenge is less in recognizing that a lawyer has acted unethically, and more in categorizing the type of ethical breach according to the Bar's view of the law.

Unfortunately, the Bar's view of the law is not always intuitive. Fortunately, you can retrain your intuition by taking old exams. The Bar has uploaded an old exam here:

<http://www.ecoleduBarreau.qc.ca/fr/evaluations/evaluation-notee/>

and many of the older final exams on the Bar's website (the business law exams in particular) contain ethics questions mixed in with the other topics:

<<http://www.ecoleduBarreau.qc.ca/fr/evaluations/evaluation-finale/>>

Finally, always ask to see your exam. It's difficult to challenge substantive grading decisions, but often there are mathematical errors and other mistakes in calculating your grade. A friend of mine received 10/20 (the passing grade is 12). She went to see her exam and picked up two marks, which brought her up to a passing grade. The corrector had taken off 2 points for the same mistake in one case, and had made a mistake adding up her grades in another place. This could easily happen to you. So whether you pass or fail, ask to see your exam and see if you can lock in a few more points prior to the final.

If you fail the ethics exam, you are required to go through a full-day workshop on ethics late in the semester. Passing the exam means that this is a free study day for you.

mccarthy
tétrault

Conférence

Mercredi le 29 janvier 2014

L'activisme actionnarial

Venez rencontrer **Max Rogan, Fraser Bourne**

et **Sophie Gupta** du cabinet McCarthy Tétrault.

Ils vous parleront de l'activisme des actionnaires.

Vous aurez l'occasion d'en apprendre davantage
sur ce phénomène d'actualité par lequel des actionnaires
tentent, et dans certains cas réussissent, à influencer
les décisions et les orientations de sociétés publiques.

DATE : Le mercredi 29 janvier 2014

HEURE : 18 h à 20 h 30

LIEU : McCarthy Tétrault, bureau 2500
1000, rue De La Gauchetière Ouest
Montréal (QC) H3B 0A3

RSVP : Inscription auprès de mbla.law@mail.mcgill.ca
Les places sont limitées.

mccarthy
tétrault

www.mccarthy.ca/étudiants

McCarthy Tétrault S.E.N.C.R.L., s.r.l.

PART II: STUDY METHODS

(12) Studying for the Final Exams

There are two general strategies to studying for the Quebec Bar. The first strategy is to work several hours a day in addition to the annexes, studying each subject as you cover it in class. The second strategy is to keep up with the annexes, but to delay serious studying until after you know the exam questions. Both are viable strategies: the first is probably the most effective, but exhausting and difficult to implement if you plan on having a life outside of Bar school; the second risks turning your final month of classes into a mad sprint towards the finish line. I adopted the second strategy, as did most of the people I know.

If you do go with the second strategy, start your hard-core studying immediately after getting the exam questions. We received ours around the 4th of November, with the final exam scheduled for the 10th and 12th of December. I didn't do much studying in the first two weeks and really regretted that as I moved into the final week before the exams. In the end I was able to read through all of the applicable laws, annotate them, and also review some parts of the CDD, but I wasn't able to do as many old exams as I would have liked. Don't make my mistake: time is of the essence once you have the exam questions, and the five weeks you have to study is much shorter than it may seem.

The subjects on the final exams are fairly predictable. Contracts are always on the exam (the Bar calls this "Book 5 of the CCQ" or "the Book on Obligations," but they mean pure contract law, not contract plus ECO). Criminal law is always on the exam, as are other topics that are taught after the exam subjects are announced (the Bar knows that otherwise, everyone would skip class). Business law and family law are almost always on the exam. Until the new CCP comes out, it seems likely that procedure will not be covered on the final exam, although it could show up on the retake.

Based on the predictable exam subject matter, there might be a "third strategy" in addition to the two outlined above. This third strategy would be to take the 2 weeks before you get the final exam subjects and study Business law and Family law for one week each. These are two subjects you will have finished by then, so it's feasible to begin studying them. They're also almost guaranteed to be on the final. The types of questions asked on the exams for these two topics are also highly predictable. For example, you can bet that in business law, you will get a question on calculating a dividend. In family law, you will have to calculate someone's family patrimony or partnership of acquests. If you have these two subjects mastered prior to the release of the exam subjects, then you'll be ahead of the game (and most of your colleagues) with only four topics left to cover. Covering four

subjects in four weeks is much more feasible than trying to study all six. It will leave you precious time to do practice exams leading up to the final, which are always a good investment of time and effort.

Now let's turn to the different methods you can use to study for the Quebec Bar: (1) reading and annotating the applicable laws; (2) reviewing the CDD; (3) re-reading the annexes; (4) doing old exams; (5) making notes or summaries of the material.

(1) Reading and Annotating Laws

Some people will tell you to read the entire CCQ several times from cover to cover. If you have a good work ethic, and you start early, you could read 50-100 articles a day and get through the CCQ several times before the final exam. But it's still inefficient advice. You will never be tested on the books on persons, successions, property, or private international law. Other books, like family law, evidence, and hypothecs/publicity of rights will depend on the topics chosen for your year's exam. So while reading the CCQ several times will help you when you get into practice, it won't necessarily be time well-spent for the final exam.

A better strategy is to read the book on obligations several times. You are guaranteed to get questions on obligations for the final exam, so this is a good investment of time. Read both the general part on the formation, transfer, breach, etc, of obligations and the nominate contracts section. My experience was that the Bar only asked exam questions about nominate contracts that we had seen in class (although they reserve the right to ask questions about anything in the CCQ). This included sale, lease, mandate, suretyship, partnership, and insurance. The insurance chapter of the CCQ is enormous, but much of that is devoted to contracts of marine insurance, which the Bar does not teach, and which I think you can safely ignore. Also, I noticed that the only questions on insurance that were asked on the final all dealt with articles we had specifically been asked about in the annexes. The other nominate contract questions ranged more widely in terms of which articles we needed to apply.

Of course, once you know the topics, start reading all the applicable books of the CCQ. Ideally, read them all twice. But failing that, at least one read-through is essential. There are many books of the CCQ where the Bar only focuses on some elements. In family law, for example, you will cover child support, spousal support, family property, and custody of children. You will not deal with filiation or marriage issues at all. As such, it's probably a waste of time to go over those parts of the book on family law. I did, but in the end there was no pay-off to that studying, since the final exam covered only those issues we saw in class.

In terms of the other laws, I would recommend the following:

- Criminal Code: You can't possibly read this cover to cover in the time available, and there is no reason to. Focus on re-reading the procedural provisions that cluster between sections 490 and 545 or so, and maybe also the firearms provisions. You should read through the CDSA and Canada Evidence Act in full, since they're relatively short.

- Code of Civil Procedure: Given the impending reform of the CPC, the Bar has been hesitant to put civil procedure on the final exam in the last few years. Even so, you may need to know the CPC articles that deal with presenting evidence (if Evidence is on the final), and there is a whole chapter on procedure for Family Law that you should know if Family Law is on the final exam. After the CPC are a number of procedural laws, regulations, and rules of court. Don't forget to review these, particularly the ones relevant to Family Law if that subject is on the final exam. And it goes without saying that if you have Administrative Law, you should read the Law on Administrative Justice at least once.

- Employment Law Collection: Quebec employment law is scattered throughout several laws. You should read and re-read the Labour Code and the Labour Standards Act. The other acts in the collection are not important. In particular, you do not need to know anything about the Canada Labour Code. Nor do you need to know anything about the regulations.

- Business Laws Collection: The two main acts you will be working with for business law are the Quebec Business Corporations Act and the Canada Business Corporations Act. The best strategy is to pick one of two, read and annotate it very well, and then rely on the Table of Concordance to find equivalent sections in the other law. Most people focus on the QBCA, since it's probably the more complicated of the two. During class, the annexes seemed to favour the QBCA over the CBCA, but on the exam we were asked an equal number of questions about each. If you do adopt the approach of intensively studying one of the acts, be aware of the major differences between them; you should know that partially-paid shares are not allowed under the CBCA without having to look that up in the Table of Concordance. Also, be aware that some important provisions in the federal CBCA are mirrored provincially in the CCQ, rather than the QBCA.

There are several other laws you will need to know in the business law collection. The Bar takes a perverse satisfaction in forcing you to learn the ins and outs of the Law on the Legal Publicity of Enterprises. This is a very boring regulatory law, but pay close attention to the annexes dealing with it, since very similar questions will appear on the final exam (e.g. "What corporate formalities does an amalgamating corporation need to file with the Enterprise Registrar?"). Your LLPE will also benefit from extensive cross-references, since important sections are scattered throughout the law. For the Securities Act and related regula-

tions, you only need to know the provisions that impose a prospectus requirement on securities issuers, plus the relevant definitions. You will also need to know the main exemptions from the prospectus requirement (contained in National Instrument 45-106). Finally, you need to know select provisions from the Securities Transfer Act that deal with transfer of ownership of securities, the enforceability of restrictions on transfers, and the effects of violating such a restriction.

(2) Reviewing the Collection du Droit

I've covered this in a previous section, and I think the same applies in a final exam studying context. Read the CDD where it complements material covered in class, and where you are having trouble with a particular subject. For the most part though, the information contained in the CDD is too detailed and will not be tested.

(3) Re-reading Annexes

Some people will re-do all of their annex problems from scratch. This can be a good strategy, but it takes a lot of time, so be aware of that before you start. In addition to the problems in the annexes, there are often helpful charts and tables (e.g. the table of the different types of hypothec, or the procedural charts for criminal trials). These are worth studying even if you don't redo the annex problems.

(4) Old Exams

I think this is one of the best ways to study for the final exam. A recent final exam, plus answers, is available online at:

<<http://www.ecoleduBarreau.qc.ca/fr/evaluations/evaluation-finale/>>

I would download them ASAP, since it's tough to get many modern Bar exams with their answers. If they replace the above exam with another one later, you'll have two in your personal collection.

That said, there are many years worth of old exams with their answers available online through non-Bar sources. Sadly they end in 2005, which is the year that the Bar switched over to a closed-book system. So be aware that the pre-2005 exams are a bit harder than the closed-book exams you will be taking.

The Bar also released a number of practice questions close to exam time during my year. These questions were closer to the type used on the final exam, but much harder. So don't get discouraged if you do poorly on the more recent practice exam material.

Continued...

You can take practice exams very seriously, timing yourself and not looking at your notes. I found it just as helpful to look at the question, see what my gut instinct response was, then look at the answer. Ultimately it's the answers that you want to pay attention to, as it shows you the format of response the Bar is looking for.

(5) Making Notes or Summaries of the Material

This strategy is most viable if you adopt an early and continuous study strategy. If you start hard core studying in the final month, you're unlikely to have time produce good summaries of all six topics. I only had time to finish a family law summary. For the rest I relied on partial notes rather than comprehensive summaries.

That said, there are number of existing summaries floating around online in both English and French. Some are pretty good, but most of them are dated and need updating.

Less ambitious than a full-on summary of the law is taking notes on a specific topic or area of interest. The process of building these notes can be a good way to force this information into your brain. Here are some note projects that I found valuable for business law:

- List of the major differences between QBCA and CBCA.
- List of the types of shareholder votes under the QBCA/CBCA and modalities for each.
- Registration checklist under the LLPE for both QBCA and CBCA corporations.

Ultimately though, your study strategy should reflect how you learn best. Although everyone should read and note up their laws. That's probably the one universal piece of advice. Get to know the laws and especially their tables of contents, since finding the right provision is often less about having memorized it in advance than knowing where that kind of provision should be.

(13) The Final Exams

I don't think I can do much to improve on Narimane's discussion of this topic in the March 20th, 2010 issue of the Quid. I strongly encourage you to read that piece in addition to this one. It has detailed advice and includes good example exam questions. What I write here is more of a supplement to that article than anything else.

Narimane states that time is generally not a factor on the exam. That may be true for some people, but it's not universal. In particular, many people did not have time to finish the long answer exam in my year. So be aware of how quickly you're progressing through the exam and manage your time accordingly. It's possible to finish early, but by no means guaranteed.

The biggest challenge is formatting all your answers in the style known as "la réponse du Barreau." Virtually every exam question should be answered in a sentence of the following form:

"Yes/No, because [brief description of relevant facts/law] (article # CCQ)." Take the following example:

Q: If a person is disappointed by the Minister of

Health's decision, should he name the Minister as the defendant in an action in the civil courts?

A: No, because all actions against the government name the attorney general of Quebec as defendant (99 CCP).

Q: If a person suffers damage due to the fault of an other person, and that other person is insured, can the injured person sue the insurer without also suing the person who caused the damage?

A: Yes, an injured party may always sue the insurer directly (2501 CCQ).

These are fairly easy questions, and the real exam questions are much trickier (see the old exams for good examples of page-long fact patterns which you are expected to answer in a single line). The more complicated the facts, the harder it is to give a simple answer, but the Bar is only interested in simple answers. If you add anything beyond what the Bar expects, you will lose points. Sometimes you will lose all of your points. As a friend of mine said: "If you ever find yourself writing 'however' or 'but' on the Bar exam, then you're going to get zero."

For example if you are asked whether a given action by a lawyer is an ethical fault, and you answer correctly, but then add "and Me So-and-so could have avoided the problem by doing X," you will lose points for adding "irrelevant information." This rule applies even though you got the right answer, and even though the "irrelevant information" was clearly added as a supplement and in no way suggests that you don't understand the material.

Most questions are not graded in a way that allows you to get part marks. You will either get perfect or nothing. The Bar's justification for this is that for every legal question, there is a right answer, and neither your clients nor the courts will give you any credit for a partially-correct answer.

Finally, be aware of a nasty trick the Bar pulled this year. We were told that hypothecs would not be on the exam, and that the book on contracts would be. However, we were asked several questions about installment sales. And enforcing certain remedies for breach of an installment sale requires that you use the rules for enforcing hypothecs. So in reality, hypothecs were on the exam, but I don't think anyone had studied for them. The moral of this story is the following: when the Bar says that "Book X" is on the exam, it means "Book X, plus everything incorporated by reference into Book X."

IN-HOUSE EVENT

GIVE US THE OPPORTUNITY TO MEET
WITH YOU!

**LA VIE
@
LAVERY**

On Monday,
January 27, 2014
from 4:30 p.m.
to 7:00 p.m.

It will be a pleasure
to welcome you to our
Conference Centre

1 Place Ville Marie
40th floor

We look forward to seeing you!

RSVP: Matthew Quadrini, vp-pr.lsa@mail.mcgill.ca



▸ laviealavery.ca

MISE À JOUR SUR LE COMITÉ DE CYCLISME

Le comité de cyclisme de McGill s'est rencontré lundi, le 13 janvier, afin de discuter des priorités pour la nouvelle politique de cyclisme. Chaque membre du comité est venu à la réunion avec leur liste des critères pour évaluer les différentes politiques proposées. Ces listes ont été synthétisées en quatre critères essentiels, et en cinq critères importants.

These lists were formulated through a voting procedure, where each member of the committee was able to vote for the three criteria deemed most important to consider when weighing different cycling policy options. The results are as follows:

Critères Nécessaires

Sécurité : S'assurer que tous les utilisateurs du campus (incluant les cyclistes et les piétons) soient en sécurité et se sentent en sécurité. (11 votes)

Relations Harmonieuses dans la Communauté McGilloise : Réduire les tensions et promouvoir de bonnes relations entre les membres de la communauté. (6 votes)

Coût : Prévoir des coûts abordables de mise en place et d'entretien. (4 votes)

Accessibilité : S'assurer que le campus du McGill soit physiquement accessible aux tous les utilisateurs. (4 votes)

Important criteria

Integration with Montréal: Maximize integration of McGill's campus with local transportation network and urban planning context. (3 votes)

Happy External Community: Reduce tension and promote good relations between McGill and Montréal. (2 votes)

Active Transport: Enable and encourage the use of cycling and walking at McGill. Reduce barriers to these activities and improves their practicality. (2 votes)

Positive Image: Contribute to the perception of McGill as an open, welcoming, inclusive community whose campus is a place of sanctuary. Demonstrate sustainability leadership. (1 vote)

Aesthetics: Harmonize well with the historic aesthetics of McGill's campus (0 votes)

A number of individual measures along with their benefits and drawbacks were then discussed. Each of these measures may or may not be used to implement McGill's more comprehensive cycling policy. Possibilities under consideration include: gates, textured paving (e.g. cobblestones), physically separated bike lanes, visual bike lanes (e.g. painting on road), rumble strips, speed bumps, speed humps, increased signage and woonerf.

Avant la fin janvier, chaque membre du groupe doit soumettre ses commentaires sur les critères d'évaluation ainsi que sur les méthodes possibles de mise en place de la politique de cyclisme.

Nous aimerions obtenir vos avis! Svp envoyez vos commentaires, questions ou suggestions à claudette.vanzyl@mail.mcgill.ca. Je serai heureuse d'être la porte-parole de vos idées à la prochaine réunion.

UPDATE OF ACTIVITIES

The Feminist Collective had a busy first semester of activities, and the second semester is shaping up to be at least as eventful!

On Monday, November 18, the Collective hosted a workshop entitled "Getting the Upper Hand: Les négociations professionnelles et l'équité salariale," the first workshop in a semi-annual series. L'atelier a été animé par deux facilitatrices qui ont chacune abordé des aspects différents du sujet. Caroline Codsí, fondatrice de l'organisme à but non lucratif « La Gouvernance au Féminin », a fait le point sur la situation en dressant un portrait assez alarmant de la situation des femmes dans le marché de l'emploi. Pour ne citer que quelques exemples, les participantes ont appris qu'une seule femme fait partie du palmarès des 100 directeurs généraux (CEO) les mieux payés au Canada, et que seules 7% des femmes négocient leur salaire à l'embauche, contre 57% des hommes. Then, Professor Ruthanne Huising of the Desautels Faculty of Management led a discussion on negotiations more broadly. She explained that negotiations are a part of everyday life and negotiating is a skill that should be mastered, not only for professional relationships, but for personal relationships as well. With the help of an interactive exercise where participants played the roles of either a recruiter or a job-seeker, participants discussed various strategies for approaching an offer of employment.

The talk was supplemented by a handout prepared by our very own Maryse Chouinard, director of the Career Development Office, with tips on how to find out average or expected salaries in various legal careers and markets, as well as a handout from the Canadian Legal Career Development Network on Negotiating Salary.

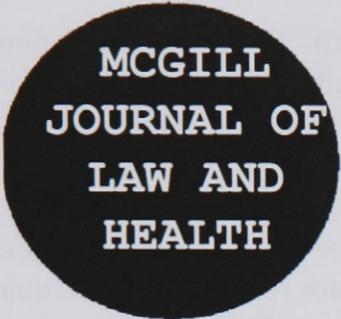
All in all, it was a practical and thoughtful event for those who at-

tended! The event was funded by both the Career Development Office and the Law Students' Association, que nous remercions chaleureusement.

The Collective, together with Outlaw, also continues its research collaboration on trans* rights with the Centre for Gender Advocacy. A group of members of both clubs researched the requirements for changing gender markers on official documents in each province and examined jurisprudence from countries where trans* people had been successful in challenging their state's requirements. We are also happy to announce that the Centre for Gender Advocacy and Juripop will take legal action against the government of Quebec to invalidate article 71 CCQ and that we will continue supporting their work in this area!

On the heels of our open letter to Prof Dyens last November, a rape joke in the Quid sparked a powerful response from the Faculty. The Collective penned its own response and created an email address to encourage students to send anonymous submissions on their own sexual experiences around (non)consent. We thank all students who shared stories and those who helped spread the word that, above all, we never know what the person next to us in class has been through. We also remember that these stories represent only the tiniest fraction of what is experienced by people in our community.

Upcoming in the second semester, mark your calendars for the second instalment of the workshop series with a workshop on how to deal with sexual harassment in the workplace on March 12. And at the end of this month, don't miss our first ever Feminist Speedmeet on January 29! Registration is mandatory, so please email feministcollective.mcgill@gmail.com for the registration form.



**MCGILL
JOURNAL OF
LAW AND
HEALTH**

WEBSITE UPGRADE

The McGill Journal of Law and Health (MJLH) site went through a makeover this semester. The new design has updated to display a cleaner and more modern interface, and also integrated the journal's Twitter stream and provides links to the Journal's other social media accounts on Facebook and LinkedIn.

MJLH's online presence has expanded to include regular blog posts on issues such as regulation of naturopathy in Ontario, the summary of recent judgments in physician-assisted suicide, among others. The journal has also cultivated an active Facebook and Twitter presence that update people on recent blog posts and journal articles, alongside current health law and policy items.

The MJLH acknowledges the LSA's support in the makeover – which provided \$1000 from the communal journal funding pool to cover part of the total upgrade cost of \$3500. Check out the new site at: <http://mjlh.mcgill.ca>

Being on the Law Journal
means...

getting to hang out with
cool librarians!

The *McGill Law Journal* is
recruiting. Learn more at:
lawjournal.mcgill.ca



Actus Reus presents:
KISS, AND BE DAMNED!
AN EVENING WITH CHEKHOV

Wed., Jan. 22nd • \$8

Thurs., Jan. 23rd • \$10

Fri., Jan. 24th • \$10

Moot Court

Doors open: 7 pm • Curtain: 7:30 pm

Featuring:

The Bear
The Jubilee
The Proposal
A Tragic Man Despite Himself
The Night Before the Trial



Starring:

Christie Bates
Justine Blair
Amélia Couture
Marco Garofalo
Catherine Le Guerrier
Stephen Hill
Lana McCrea
Sean McGinnis
Fortunat Nadima
Léa Pelletier-Marcotte
Erica Sanders
Marion Sandilands
Andrew Stuart
Ben Wood
Derek Zeisman

Directed by Emily MacArthur and Annie O'Dell • Stage Managed by Alexandra Bornac • Produced by Sara Shearmur

McGill Centre for
Human Rights
and Legal Pluralism



Centre sur les droits de la
personne et le pluralisme
juridique de McGill

Third Session in the 2013-2014 Disability, Human Rights and Accessing Justice Seminar Series

Proactive Approaches to Inclusion: Legislative and Policy Developments

12:30pm-2:30pm

January 27, 2014

Room 202, New Chancellor Day Hall
3644 Peel Street, Montreal

Panelists:

Arlene Kanter - Syracuse University College of Law
David Lepofsky - Accessibility for Ontarians with Disabilities Act Alliance
Aur lie LeBrun - Quebec Human Rights and Youth Rights Commission

Moderator:

Colleen Sheppard - Director, Centre for Human Rights and Legal Pluralism



The passage of the Americans with Disabilities Act (ADA) in 1990 was a watershed in its guarantee of equal opportunity and non-discrimination in education, employment, health, and access to justice for persons with disabilities. The legislation inspired others to draft their own disability rights laws and served as an example for the drafting of the CRPD. Ontario, for example, enacted the Ontarians with Disabilities Act in 2005. The federal employment equity legislation also includes persons with disabilities as one of the four target groups.

This event will provide an opportunity for students, professors, and educators to discuss proactive approaches to implementing ongoing legal and policy developments in the areas of disability and human rights.

A light lunch will be provided. Space is limited so please RSVP to chrlp.law@mcgill.ca

This seminar is accredited for 1.5 hours of continuing legal education by the Quebec Bar

Co-sponsored by Aisenstadt Community Justice Initiatives and
HRWG- Disability & the Law Portfolio

hrwg

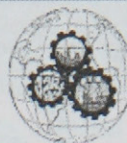
Image taken from www.miliken.edu

McGill Centre for
Human Rights
and Legal Pluralism



Centre sur les droits de la
personne et le pluralisme
juridique de McGill

McGill International
Journal of Sustainable
Development
Law and Policy



Revue internationale
de droit et politique
du développement
durable de McGill

First Session in the 2013-2014 Economic Justice Seminar Series

Identity, Inequality and Vulnerable Communities

A panel discussing intersections of identity, inequality and vulnerable communities, in the analysis of, and responses to, socio-economic justice – particularly from the perspective of children, persons with disabilities and Aboriginal people

12:30pm-2:30pm

January 29, 2014

**Room 316, New Chancellor Day Hall
3644 Peel Street, Montreal**

Panelists:

Professor Shauna Van Praagh - McGill University Faculty of Law

Professor Colleen Sheppard - Director, Centre for Human Rights and
Legal Pluralism

Moderator:

Professor Jill Hanley - McGill School of Social Work



Photo taken from CTV news of a Thai farmer: <http://www.ctvnews.ca/politics/thailand-s-farmers-raise-quiet-threat-to-traditional-politics-1.1575649>



RECLAIMING CITIZENSHIP REJECTING DOUBLE PUNISHMENT

DEEPAN BUDLAKOTI SPEAKING TOUR

HALIFAX • MONTREAL • KINGSTON
KITCHENER-WATERLOO • PETERBOROUGH • TORONTO

2014.01.21

6PM: DINNER / 7PM: PANEL

with: Deepan Budlakoti and Alex Popowich

+

"Twice Removed: Double Punishment and Racial
Profiling in Canada," a short film by Lillian Boctor

New Chancellor Day Hall, McGill Faculty of Law: 3644 Peel, room 201, Montreal (Peel metro)

Whisper translation FR-EN • Childcare • Wheelchair accessible

Solidarity Across Borders • No One Is Illegal - Montreal • McGill RadLaw

Justice for Deepan! Stop his deportation!

Restore his citizenship!

No to double punishment!



justicefordeepan.org • justicefordeepan@gmail.com • facebook.com/JusticeForDeepanBudlakoti



BONNE COURSE AUX STAGES

Nadine Boileau
Directrice, Programmes étudiants
514 397-3124
nboileau@stikeman.com



2014
**Employeurs
de choix**
au Canada

STIKEMAN ELLIOTT

STIKEMAN ELLIOTT S.E.N.C.R.L., s.r.l. AVOCATS
www.stikeman.com